

NICHOLAS A. TRUTANICH  
United States Attorney  
District of Nevada  
Nevada Bar Number 13644  
ALLISON REESE  
Nevada Bar Number 13977  
Assistant United States Attorney  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
Phone: (702) 388-6336  
Email: [allison.reese@usdoj.gov](mailto:allison.reese@usdoj.gov)  
*Attorneys for the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN BROWN,

Defendant.

Case No.: 2:17-cr-00058-JCM-VCF

**STIPULATION TO CONTINUE THE  
PRELIMINARY EXAMINATION  
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for Defendant JUSTIN BROWN, that the preliminary examination date in the above-captioned matter, currently scheduled for November 13, 2020, at 3:00 p.m., be vacated and continued for one (1) week, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant JUSTIN BROWN is in custody and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary examination.

DATED: November 12, 2020

Respectfully submitted,

NICHOLAS A. TRUTANICH  
United States Attorney

*/s/ Allison Reese*

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ALLISON REESE  
Assistant United States Attorney

*/s/ Nisha Brooks-Whittington*

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NISHA BROOKS-WHITTINGTON  
Assistant Federal Public Defender  
Counsel for Defendant JUSTIN BROWN

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN BROWN,

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Case No.: 2:17-cr-00058-JCM-VCF

**ORDER**

**ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. Defendant JUSTIN BROWN is in custody and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the first request for a continuation of the preliminary examination.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary examination date.

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary examination, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

**ORDER**

IT IS THEREFORE ORDERED that the preliminary examination currently scheduled for November 13, at the hour of 3:00 p.m., be vacated and continued to November 19, 2020, at the hour of 10:00 a.m., in Courtroom 3C.

DATED this 13th day of November, 2020.

  
HONORABLE ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE